

AMENDMENT NO. FOUR (4)

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
NAVAJO COUNTY, ARIZONA

THIS AGREEMENT, entered into 28th October 2003, **Amendment Number 4** to **JPA 98-200**, AG Contract No.: KR98 2516TRN, filed 7 January, 1999, with the Secretary of State under No. 22909, is pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION acting by and through its TRANSPORTATION PLANNING DIVISION (the "State") and the NAVAJO COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

The State program manager has approved the distribution of additional funds for federal fiscal year (FY) 2003, in the amount of \$89,415.00 are programmed and approved for distribution to the County, to conduct roadway maintenance for roadways, within, adjacent to, or provide access to Indian Reservations.

THEREFORE, Agreement JPA 98-200, is AMENDED by the parties and agreed to herein as follows:

NO. 22909 #04
Filed with the Secretary of State
Date Filed: 10/28/03
Janice K. Brewer
Secretary of State
By: Thompson D. Greenwald

II. SCOPE OF WORK

1. The State will:

Article II.1 a. shall be replaced as follows:

a. Provide the Count federal funds in the amount of \$89,415.00 for FY 2003 for maintenance to be performed on Indian reservation roadways, as defined in Exhibit A, attached hereto and made a part hereof.

All other terms and conditions of the original Agreement remains in full force and effect.

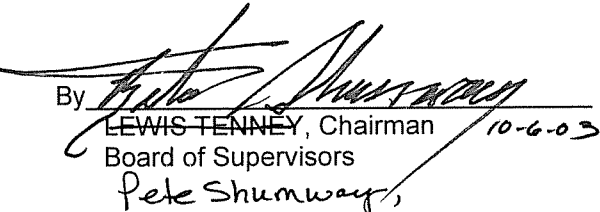
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

NAVAJO COUNTY, ARIZONA

STATE OF ARIZONA

Department of Transportation

By


LEWIS TENNEY, Chairman
Board of Supervisors

Pete Shumway,

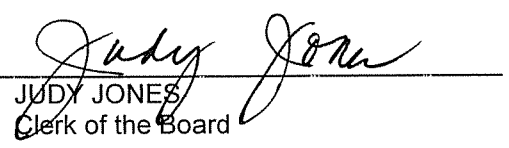
10-6-03

By


DALE BUSKIRK, Director
Transportation Planning Division

ATTEST

By


JUDY JONES
Clerk of the Board

APPROVAL OF THE NAVAJO COUNTY ATTORNEY

I have reviewed the above referenced proposed Amendment to the intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and NAVAJO COUNTY and declare the Amendment to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement

DATED this 30TH day of September, 2003


County Attorney (CHIEF DEPUTY)

District I
PERCY DEAL
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Oraibi, AZ 86039
Phone: 725-3732

District II
JESSE THOMPSON
P.O. Box 504
Kykotsmovi, AZ 86039
Phone 524-4053

District III
J.R. DESPAIN
P.O. Box 159
Joseph City, AZ 86032
Phone 524-3597

District IV
PETE SHUMWAY
P.O. Box 161
Taylor, AZ 85939
Phone 536-4060

District V
JERRY BROWNLOW
P.O. Box 129
Pinetop, AZ 85935
Phone 367-3516

NAVAJO COUNTY BOARD OF SUPERVISORS

Governmental Complex - NC #18
P.O. Box 668 - 100 E. Carter Drive
Holbrook, AZ 86025
PHONE (928) 524-4053 FAX (928) 524-4239
E-Mail: ncbos@co.navajo.az.us

JAMES G. JAYNE
County Manager

JUDY JONES
Clerk of the Board

RESOLUTION 65-03

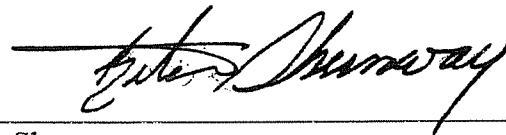
A RESOLUTION OF THE BOARD OF SUPERVISORS OF NAVAJO COUNTY, ARIZONA, APPROVING AMENDMENT NO. 4 TO JPA 98-200

WHEREAS, Navajo County has previously entered into Intergovernmental Agreement No. JPA 98-200 with the Arizona Department of Transportation concerning TEA-21 Reservation Road Funds; and

WHEREAS, Arizona Department of Transportation has proposed Amendment No. 4 to the Intergovernmental Agreement, and the same has been reviewed and approved by County staff and the County Attorney's office,

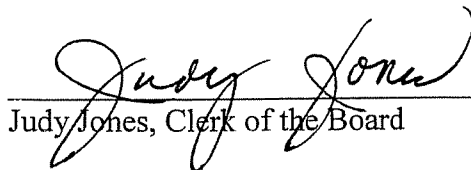
NOW, THEREFORE, BE IT RESOLVED, the Chairman is hereby authorized to execute Amendment No. 4 to Intergovernmental Agreement No. JPA 98-200 on behalf of Navajo County.

PASSED AND ADOPTED at Holbrook, Arizona on September 24, 2003.



Pete Shumway,
Chairman of the Board

ATTEST:


Judy Jones, Clerk of the Board



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2516TRN (JPA 98-200 Amendment 4), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED October 22, 2003.

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

/ss

att.